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EXAMINER	
VETTER, DANIEL	
ART UNIT	**PAPER NUMBER**
3628	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/797,494	REISINGER, KATRIN	
	Examiner	Art Unit	
	Daniel P. Vetter	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-14 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 10 March 2004 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 7/30/04, 10/10/06.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-14 are pending in this application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The preamble of claim 14 is directed toward a "data carrier" however the body of the claim recites elements of the mail processing device is association with the data carrier (e.g., one limitation is "loadable from data carrier into said programmable memory"), leaving the definite scope of the claim unascertainable.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 7, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Uno, et al., U.S. Pat. No. 5,535,127 (Reference A of the attached PTO-892).

5. As per claim 1, Uno, et al. teaches a mail-processing device comprising: a programmable memory having a table stored therein (column 1, line 19); a program memory (column 5, line 23); a working memory having mail-item-related data values stored therein (column 5, line 25); a keyboard having a plurality of operating elements (column 5, line 44); a microprocessor in communication with said programmable memory, said program memory, said program memory, said working memory, and said keyboard (column 5, line 21); said programmable memory, said working memory and said microprocessor, in combination, being programmable to set an operating mode for automatic product code entry (column 5, lines 48-50); and said microprocessor being programmed for evaluating said mail-item-related data values stored in said working memory using said table stored in said programmable memory (column 5, lines 29-40).

6. As per claim 2, Uno, et al. teaches the device of claim 1 as described above. Uno, et al. further teaches said table in said programmable memory comprises a plurality of columns, each of said columns comprising a plurality of rows, and including first and second columns containing datasets representing defaults for valid shipping parameters (Fig. 26), and wherein said microprocessor is programmed for row-by-row

searching through said first and second columns to identify datasets in said first and second columns corresponding to said values stored in said working memory and, for the valid shipping parameters represented by said datasets, said microprocessor evaluating structures in remaining columns of said table (column 15, lines 1-4; column 16, lines 59-67; Fig. 37).

7. As per claim 7, Uno, et al. teaches the device of claim 1 as described above. Uno, et al. further teaches an interface in communication with said microprocessor (column 5, line 44). The limitation for setting said operating mode is a statement of intended use and is only given patentable weight to the extent that it imparts structural limitations to the invention, which are met by the teachings of Uno, et al. as they are sufficient to be able to perform the intended use (column 5, line 44).

8. As per claim 9, Uno, et al. teaches the device of claim 1 as described above. Uno, et al. further teaches a receiving unit connected to said programmable memory (column 5, line 46). The limitation for loading said table is merely a statement of intended use and is only afforded patentable weight to the extent that it imparts structural limitations on the invention, which are met by the teachings of Uno, et al. as they are sufficient to be able to perform the intended use (column 5, line 46).

9. As per claim 10, Uno, et al. teaches the device of claim 9 as described above. Uno, et al. further teaches wherein said receiver unit is a modem selected from the group consisting of analog modems and digital modems (column 5, line 46).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 3-6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uno, et al in view of Guenther, et al., U.S. Pat. No. 5,852,813 (Reference B of the attached PTO-892).

12. As per claim 3, Uno, et al. teaches the device of claim 2 as described above. Uno, et al further teaches a display device connected to said microprocessor (column 1, line 53) and wherein said microprocessor is supplied with a weight selected from the group consisting of an entered weight and a measured weight (column 4, line 15), and wherein said table is a first table stored in a first memory range of said programmable memory (column 5, lines 28-30), said programmable memory having further memory ranges in which further tables are respectively stored (column 7, lines 31-32; while

Examiner recognizes that Uno, et al. does not explicitly use the term "range," it is noted that memory inherently is comprised of multiple address ranges, Microsoft TechNet: *Memory*, printed 4/5/2007, Reference U of the attached PTO-892), including a weight table for determining a table index assigned to different weights (column 7, lines 51-65), and a product code table for determining a product code assigned to said table index (column 21, lines 15-35), and wherein said microprocessor is programmed for storing a start address of said first table in said programmable memory (column 5, lines 28-29), for generating a screen image for shipping parameters associated with said values stored in said working memory and for displaying said screen images on said display device (column 1, line 53), and for accessing said tables in said programmable memory for evaluating data values in a row of said first table in said programmable memory, said data values corresponding to the values stored in said working memory (column 1, lines 51-52; column 22, lines 34-50) and designating, to said product code table, designated product codes (column 22, lines 45-50), and said microprocessor being programmed for storing the product codes designated with the table index for said weight (column 22, line 51). Uno, et al. does not teach that the designating is done by a pointer. Guenther, et al. teaches the designating is done by a pointer (column 24, lines 66-67). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the designating is done by a pointer into the device taught by

Uno, et al. in order to reference a further data set (as taught by Guenther, et al; column 24, line 67 - column 25, line 1).

13. As per claim 4, Uno, et al. teaches the device of claim 2 as described above. Uno, et al further teaches a display device connected to said microprocessor (column 1, line 53) and wherein said microprocessor is supplied with a weight selected from the group consisting of an entered weight and a measured weight (column 4, line 15), wherein said table is a first table stored in a first memory range of said programmable memory (column 5, lines 28-30), said programmable memory having further memory ranges in which further tables are respectively stored (column 7, lines 31-32; while Examiner recognizes that Uno, et al. does not explicitly use the term "range," it is noted that memory inherently is comprised of multiple address ranges, *see* Microsoft TechNet: *Memory*, accessed 4/5/2007, Reference U of the attached PTO-892), including a weight class table for determining a table index assigned to a weight class code stored in a further memory (column 7, lines 51-65; Fig. 36), and a product code table for determining a product code assigned to said table index (column 21, lines 15-35), and wherein said microprocessor is programmed for storing a start address of said first table in said programmable memory (column 5, lines 28-29), for generating a screen image for shipping parameters associated with said values stored in said working memory and for displaying said screen images on said display device (column 1, line 53), and for

accessing said tables in said programmable memory for evaluating data values in a row of a table in said programmable memory, said data values corresponding to the values stored in said working memory (column 1, lines 51-52; column 22, lines 34-50) and designating, to said product code table, designated product codes (column 22, lines 45-50), and said microprocessor being programmed for storing the product codes designated with the table index for a weight class in which said weight occurs (column 22, line 51; Fig. 36). Uno, et al. does not teach that the designating is done by a pointer. Guenther, et al. teaches the designating is done by a pointer (column 24, lines 66-67). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the designating is done by a pointer into the device taught by Uno, et al. in order to reference a further data set (as taught by Guenther, et al; column 24, line 67 - column 25, line 1).

14. As per claim 5, Uno, et al. in view of Guenther, et al. teaches the device of claim 4 as described above. Uno, et al. further teaches a receiver unit (column 5, line 41). The limitation "for loading and storing table values and data for entry into at least one of said table, said weight table, said product code table and said weight class table" is merely a statement of intended use and is only given patentable weight inasmuch as it implies structural limitations to the claim, which are met by the teachings of Uno, et al (column 5, line 41).

15. As per claim 6, Uno, et al. in view of Guenther, et al. teaches the device of claim 4 as described above. Uno, et al. further teaches an interface adapted for connection to the postage meter machine (column 1, lines 18-21), and wherein said working memory temporarily stores at least one of said weight class code and said product code in respective memory areas (column 7, lines 51-63). Guenther, et al. further teaches wherein said microprocessor is programmed to transmit at least one of said weight class code and said product code to the postage meter machine via said interface (column 10, lines 30-34). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate wherein said microprocessor is programmed to transmit at least one of said weight class code and said product code to the postage meter machine via said interface into the device taught by Uno, et al. in view Guenther, et al. in order to calculate the postage (as taught by Guenther, et al.; column 10, line 31).

16. As per claim 14, Uno, et al. teaches a data carrier for a mail-processing device having a programmable memory (column 1, line 19), a working memory (column 5, line 25) and a microprocessor programmed to operate in an operating mode for automatic product code entry (column 5, lines 21, 48-50), and having a receiver unit in communication with the microprocessor (column 5, line 26), said data carrier having a plurality of memory areas in which are stored (column 5, lines 24-30), respectively, an

application program for said automatic product code entry (column 22, lines 45-51) and for generating screen images for shipping parameters on a display device (column 1, line 53), at least one first table in one of said memory areas and respective further tables in further memory areas to which access is enabled by said application program (column 7, lines 51-65; column 21, lines 15-35), said first table comprising columns of data values for valid shipping parameters (column 15, Table), and a weight table (column 7, lines 51-65), a product code table (column 21, lines 15-35) and a weight class table (column 7, lines 51-65; Fig. 36), all of said tables being loadable from data carrier into said programmable memory via said receiver unit (column 5, lines 46-47). Uno, et al. does not teach that there are pointers to the data. Guenther, et al. teaches using pointers to data (column 24, lines 66-67). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate using pointers to data into the device taught by Uno, et al. in order to reference a further data set (as taught by Guenther, et al; column 24, line 67 - column 25, line 1).

17. Claims 8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uno, et al. in view of Official Notice.

18. As per claim 8, Uno, et al. teaches the device of claim 1 as described above. Uno, et al. does not teach wherein one of said operating elements of said keyboard, when actuated, sets said operating mode. Official Notice is taken that it would have

been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate wherein one of said operating elements of said keyboard, when actuated, sets said operating mode into the device taught by Uno, et al. because it is old and well known in the art to use a keyboard in this manner, for example by striking a "Start" key to begin processing.

19. As per claim 11, Uno, et al. teaches the device of claim 9 as described above. Uno, et al. does not teach wherein said receiving unit is a drive device adapted to receive a data carrier on which said table is stored, selected from the group consisting of CDs and DVDs. Official Notice is taken that it would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate wherein said receiving unit is a drive device adapted to receive a data carrier on which said table is stored, selected from the group consisting of CDs and DVDs into the device taught by Uno, et al. because CDs and DVDs are well known art-recognized means to upload data.

20. As per claim 12, Uno, et al. teaches the device of claim 9 as described above. Uno, et al. does not teach wherein said receiving unit is a chip card reader adapted to receive a chip card having a memory in which said table is stored. Official Notice is taken that it would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate wherein said receiving unit is a chip card reader

adapted to receive a chip card having a memory in which said table is stored into the device taught by Uno, et al. because chip cards are well known art-recognized means to upload data.

21. As per claim 13, Uno, et al. teaches the device of claim 9 as described above. Uno, et al. does not teach wherein said receiving unit is a memory stick interface adapted to receive a memory stick having a memory in which said table is stored. Official Notice is taken that it would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate wherein said receiving unit is a memory stick interface adapted to receive a memory stick having a memory in which said table is stored into the device taught by Uno, et a. because memory sticks are well known art-recognized means to upload data.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gil, et al., U.S. Pat. No. 5,586,037 (Reference C of the attached PTO-892) teaches an automated self-service mail processing and storing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel P. Vetter whose telephone number is (571) 270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER